

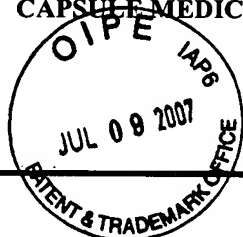
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
17406

In Re Application Of: Akio Uchiyama

| Application No. | Filing Date      | Examiner             | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|----------------------|--------------|----------------|------------------|
| 10/766,581      | January 27, 2004 | Matthew J. Kasztejna | 23389        | 3739           | 3837             |

Title: CAPSULE MEDICAL DEVICE



Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

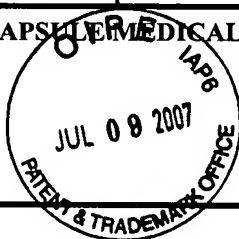
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
17406

In Re Application of: Akio Uchiyama

| Application No. | Filing Date      | Examiner             | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|------------------|----------------------|--------------|----------------|------------------|
| 10/766,581      | January 27, 2004 | Matthew J. Kasztejna | 23389        | 3739           | 3837             |

Title: CAPSULE MEDICAL DEVICE



**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

|  |
|--|
| I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa |
| _____<br>(Date)  |
| _____<br>Signature   |
| _____<br>Typed or Printed Name of Person Signing Certificate   |

**Certificate of Mailing by First Class Mail**

|  |
|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on |
| July 5, 2007<br>(Date)   |
| <br>Signature of Person Mailing Correspondence   |
| Seth Weinfeld<br>Typed or Printed Name of Person Mailing Certificate   |

\*This certificate may only be used if paying by deposit account.

Signature

Dated: July 5, 2007

Seth Weinfeld, Reg. No. 50,929  
Scully, Scott, Murphy & Presser, P.C.

CC:

Sheet 1 of 1Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.  
17406Application No.  
10/766,581Applicant  
Akio UchiyamaFiling Date  
January 27, 2004Group  
3739**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL* | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>(if<br>appropriate) |
|----------------------|-----------------|------|------|-------|----------|------------------------------------|
|                      |                 |      |      |       |          |                                    |
|                      |                 |      |      |       |          |                                    |
|                      |                 |      |      |       |          |                                    |
|                      |                 |      |      |       |          |                                    |
|                      |                 |      |      |       |          |                                    |
|                      |                 |      |      |       |          |                                    |

**U.S. PATENT PUBLICATION DOCUMENTS**

|  |                 |          |              |  |  |  |
|--|-----------------|----------|--------------|--|--|--|
|  | 2003/0023150 A1 | 1/30/03  | Yokoi et al. |  |  |  |
|  | 2002/0198439 A1 | 12/26/02 | Mizuno       |  |  |  |
|  |                 |          |              |  |  |  |

**FOREIGN PATENT DOCUMENTS**

|  | DOCUMENT<br>NUMBER | DATE      | COUNTRY        | CLASS | SUBCLASS | TRANSLATION |    |
|--|--------------------|-----------|----------------|-------|----------|-------------|----|
|  |                    |           |                |       |          | YES         | NO |
|  | GB 2 373 330 A     | 9/18/2002 | United Kingdom |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |
|  |                    |           |                |       |          |             |    |

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

|  |  |
|--|--|
|  |  |
|  |  |

EXAMINER

DATE CONSIDERED

\* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                   |                           |                  |                       |
|-------------------|---------------------------|------------------|-----------------------|
| <b>Applicant:</b> | Akio Uchiyama             | <b>Examiner:</b> | Kasztejna, Matthew J. |
| <b>Serial No:</b> | 10/766,581                | <b>Art Unit:</b> | 3739                  |
| <b>Filed:</b>     | January 27, 2004          | <b>Docket:</b>   | 17406                 |
| <b>For:</b>       | CAPSULE MEDICAL<br>DEVICE | <b>Dated:</b>    | July 5, 2007          |

**Confirmation No. 3837**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.


1. U. S. Patent Application Publication No. US 2003/0023150 A1 published on January 30, 2003 to Yokoi et al.
2. U. S. Patent Application Publication No. US 2002/0198439 A1 published on December 26, 2002 to Mizuno.
3. U. K. Patent Application GB 2 373 330 A published on September 18, 2002.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mailstop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 5, 2007.


Dated: July 5, 2007

  
Seth Weinfeld

The references were cited in a Supplementary European Search Report dated April 13, 2007, a copy of which is enclosed. Applicants are submitting copies of the above-cited references required by 37 C.F.R. 1.98 (a)(2)(i) and (ii). Please note that the other U.S. Patent Publication US 2002/0103417 cited in the Search Report was previously cited by the Examiner in an Office Action dated February 10, 2005.

Further, the undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Seth Weinfeld", written over a horizontal line.

Seth Weinfeld

Registration No: 50,929

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

SW:ae